

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 JASON W. SANDBERG,

12 Plaintiff,

13 v.

14 SUPERINTENDENT RON VAN
15 BOENING, *et al.*,

16 Defendants.

CASE NO. C09-5347RJB/JRC

ORDER

17 This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§
18 636(b) (1) (A) and 636(b) (1) (B) and Local Magistrate Judge's Rules MJR 1, MJR 3, and MJR 4.

19 This case is not progressing to the point where it can be served on defendants. Plaintiff was
20 given a chance to file an amended complaint (Dkt. # 20). The complaint he filed is a one-page
21 document changing the spelling of a defendant's name (Dkt. # 34). There are no service copies of
22 the amended complaint on file.
23

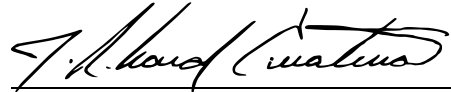
24 The court will give plaintiff one last chance to file a proper complaint. The document will be
25 titled as the "Second Amended Complaint." It will become the only complaint in this action and will
26

1 replace, rather than supplement, all other complaints. Plaintiff must provide the court with a copy of
2 the Second Amended Complaint and filled-out Marshal's service form for each named defendant.

3 Plaintiff's motions for copies of the "complaint" and motion directing defendants to file an
4 answer, (Dkt. # 37 and 38) are DENIED. The Second Amended Complaint will be due on or before
5 **December 11, 2009**. Failure to file a proper complaint or failure to follow the courts directions will
6 result in a Report and Recommendation that this action be dismissed.
7

8 The Clerk's office is directed to remove Dkt. # 37 and # 38 from the calendar and provide
9 plaintiff a copy of this order.

10 DATED this 10th day of November, 2009.
11

12
13 

14 J. Richard Creatura
15 United States Magistrate Judge
16
17
18
19
20
21
22
23
24
25
26